



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 24, 2009
AGENDA DATE: July 1, 2009
PROJECT ADDRESS: 819 N. Salsipuedes Street (MST2009-00189)
TO: Bettie Weiss, City Planner
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The project site is currently approved for the construction of two residential units. During site preparation it was noted that the existing retaining wall, located along the southeastern property line, needed to be demolished and replaced. The discretionary application required for replacement is a Modification to permit the wall and chain link fence above it to exceed the maximum allowable height of 3½' within the first 20' back from the front lot line when located within 10' of the driveway (SBMC §28.87.170).

Date Application Accepted: May 11, 2009

Date Action Required: August 11, 2009

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Ron Sorgman	Property Owner: Elaine Webster
Parcel Number: 031-031-008	Lot Area: 6,750 SF
General Plan: 12 Units Per Acre	Zoning: R-3 Multiple Family
Existing Use: Vacant	Topography: 9% Cross Sloping Lot

Adjacent Land Uses:

North - Salsipuedes Street
 South - Residential

East - Residential
 West - Residential

IV. DISCUSSION

In July 2008, A Building Permit Was Issued For Complete Demolition Of The Existing Structures On Site And The Construction Of Two Residential Units. During Site Preparation For The Construction, It Was Noted That The Existing Retaining Wall, Located Along The Southern Property Line, Was Substandard And Needed To Be Replaced. The Wall, Which Retains The Adjacent Property To The South, Is Proposed At A Height Between Eight And Ten Feet Along The First 20' Of The New Driveway. Santa Barbara Municipal Code §28.87.170 Limits Wall Heights In That Area To 3 ½'. Although The Ordinance Allows For Maintenance And Repair Of Non-Conforming Walls, It Also Limits The Amount Of Demolition And Replacement To 10% Within Any Given 12 Month Period. The Existing Wall, Which Will Retain The Neighbor's Property To Allow For A New Driveway On Site, Needs To Be Replaced In Its Entirety And Therefore Requires Modification Approval To Allow The New Wall To Exceed The 3 ½' Height Maximum Within 20' Of The Front Lot Line. The Project Was Reviewed By The Architectural Board Of Review On May 4, 2009 And Continued Indefinitely To The Staff Hearing Officer, With Direction To Return To The Consent Calendar For Further Design Details.

V. FINDINGS & CONDITIONS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed retaining wall and fence will allow for construction and maintenance of the approved driveway to be installed on site, which will provide access to the required parking for the new units. Said approval is subject to the conditions of approval by the Architectural Board of Review, and that all appropriate right-of-way encroachment permits be obtained prior to building permit issuance.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated April 13, 2009
- C. ABR Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
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Phone: (805) 564-5470

Ronald A. Sorgman

125 Victoria Street Suite B

Santa Barbara, CA 93101

Architect

Tel. No. (805) 965-2962

April 13, 2009

Modification Hearing Officer – Roxanne Milazzo
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Agent: Ron Sorgman
Owner / Applicant: Elaine Webster, 2435 Calle Linares, Santa Barbara, CA 93109
Project Address : 819 N. Salsipuedes Street, Santa Barbara, CA 93101
Assessor's Parcel Number: 031-031-008 Zone: R-3

Dear Roxanne,

There is an existing lot that is 37.5 feet wide and 180 feet long. This project has a building permit BLD2007-01539, has been approved by the ABR and was granted a modification previously to allow parking on site.

Historically there was a less than adequate retaining wall on the property line that was discovered during preliminary grading. At the beginning of construction, the contractor found that the soils at a portion of the lot contained an old land fill that never showed up during the soils investigation.. After consulting with the soils engineer, it became necessary to design and engineer a 108' long replacement retaining wall using caissons along the property line.

Modification request number one is to allow a portion of the retaining wall to exceed 8' out near the street, which reduces in height as the driveway ascends into the property.

Modification request number two is to allow the wall to exceed the 42" height, 10' back from the property line. This condition cannot be met as the adjacent property is higher than our lot.

We feel these modifications would provide distinct improvements to the neighborhood and allow for much needed housing. We hope that you will grant this modification. Thank you for your consideration.

Sincerely,


Ron Sorgman

Exhibit B

819 N. SALSIPUEDES STREET – ABR MINUTES

May 4, 2009

An opposition letter from Paula Westbury was acknowledged.

Continued indefinitely to Staff Hearing Officer and continued indefinitely to Consent Calendar with comments:

1. The new retaining wall is to be of stucco material and of a light earth tone in color.
2. The chain link fence is to be black vinyl.
3. Landscape screening on fence is required to be maintained permanently for life of the wall and fence.
4. Indicate the trees and vines in the planter areas on both sides of the wall.
5. Step wall according to grade to minimize over-all height of the wall.
6. Remove paving tile at landscaping area.